

**"(3) ALIMONY.—**

**"(A) IN GENERAL.—**The term **alimony\*** when used in reference to the legal obligations of an individual to provide the same, means periodic payments of funds for the support and maintenance of the spouse (or former spouse) of the individual, and (subject to and in accordance with State law) includes separate maintenance, alimony pendente lite, maintenance, and spousal support, and includes attorney's fees, interest, and court costs when and to the extent that the same are expressly made recoverable as such pursuant to a decree, order, or judgment issued in accordance with applicable State law by a court of competent jurisdiction.

**"(B) EXCEPTIONS.—**Such term does not include—

**"(i) any child support; or**

**"(ii) any payment or transfer of property or its value by an individual to the spouse or a former spouse of the individual in compliance with any community property settlement, equitable distribution of property, or other division of property between spouses or former spouses.**

**"(4) PRIVATE PERSON.—**The term **private person** means a person who does not have sovereign or other special immunity or privilege which causes the person not to be subject to legal process.

**"(5) LEGAL PROCESS.—**The term **legal process\*** means any writ, order, summons, or other similar process in the nature of garnishment—

**"(A) which is issued by—**

**"(i) a court or an administrative agency of competent jurisdiction in any State, territory, or possession of the United States;**

**"(ii) a court or an administrative agency of competent jurisdiction in any foreign country with which the United States has entered into an agreement, which requires the United States to honor the process; or**

**"(iii) an authorized official pursuant to an order of such a court or an administrative agency of competent jurisdiction or pursuant to State or**

local law;  
and  
"(B) which is directed to, and the  
purpose of which  
is to compel a governmental entity which  
holds moneys  
which are otherwise payable to an  
individual to make  
a payment from the moneys to another  
party in order  
to satisfy a legal obligation of the individual  
to provide  
child support or make alimony payments."

(b) CONFORMING AMENDMENTS.—

(1) To PART D OF TITLE IV, Sections 461 and  
462 (42  
U.S.C. 661 and 662) are repealed.

(2) TO TITLE 5, UNITED STATES CODE, Section  
5520a of

title 5, United States Code, is amended, in  
subsections (h)(2)  
and (i), by striking "sections 459, 461, and 462 of  
the Social  
Security Act (42 U.S.C. 659, 661, and 662)" and  
inserting "sec-  
tion 459 of the Social Security Act (42 U.S.C. 659)".

(c) MILITARY RETIRED AND RETAINER PAY.—

(1) DEFINITION OF COURT.—Section 1408(a)(1)  
of title 10,  
United States Code, is amended—